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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KONAMI GAMING, INC., a Nevada
corporation,

Plaintiff,

v.

PTT, LLC d/b/a HIGH 5 GAMES, a
Delaware limited liability company,

Defendant.

Case No.: 2:14-cv-01483-RFB-NJK

**ORDER GRANTING
DEFENDANT'S MOTION FOR
EXTENSION OF TIME TO FILE
RESPONSIVE PLEADING TO COMPLAINT
[SECOND REQUEST]**

Pursuant to LR 6-1 and Rule 6(b) of the Federal Rules of Civil Procedure, Defendant PTT, LLC d/b/a High 5 Games ("High 5 Games"), by and through its attorney, Robert C. Ryan, Esq., of the law firm Holland & Hart LLP, moves for a second extension of time to file a responsive pleading to the Complaint. This Motion is based upon the pleadings and papers on file herein and the attached Memorandum of Points and Authorities.

MEMORANDUM OF POINTS AND AUTHORITIES

1. This is an action for patent infringement. Konami Gaming filed its Complaint on or about September 12, 2014. (Dkt. No. 1). Konami Gaming served High 5 Games with process in this matter on September 22, 2014. (Dkt. No. 7). The original due date for High 5 Games to

1 answer or otherwise plead in response to the Complaint was October 13, 2014 pursuant to Fed.
2 R. Civ. P. 12. During settlement discussions, Konami Gaming agreed not to object to High 5
3 Games filing a responsive pleading by December 12, 2014.

4 2. On December 12, 2014, the parties stipulated to extending the time to file a
5 responsive pleading to the Complaint to January 12, 2015. (Dkt. No. 8). Later that same day
6 United States Magistrate Judge Nancy J. Koppe ordered that extension. (Dkt. No. 9). This
7 extension was the parties' first requested extension of time.

8 3. High 5 Games' response is due today, January 12, 2015, and as such this request
9 is made before the expiration of time allowed under the Federal Rules of Civil Procedure for
10 High 5 Games to respond. *See* Fed. R. Civ. P. 6(b).

11 4. Within several weeks of service of the Complaint on High 5 Games, the parties
12 commenced discussing settlement; and pursuant to these discussions, High 5 Games began
13 collecting information, particularly source code for several dozen gaming products, related to the
14 accusations made in the Complaint. High 5 Games has been diligently working on collecting
15 this information in a format understandable to Konami Gaming for purposes of settlement and
16 without waiting for discovery requests in this matter.

17 5. The anticipated time to collect and process the source code and other information
18 for several dozen High 5 Games' games required much more work and was far more voluminous
19 than anticipated.

20 6. The parties engaged in good-faith settlement discussions and negotiations and
21 High 5 Games initiated significant efforts to collect and provide pre-discovery information to
22 Konami Gaming in an effort to resolve this dispute. However, additional time is necessary to
23 complete collection of the pertinent information as the parties previously agreed and stipulated
24 to.

25 7. Given the ongoing nature and substantial information to be exchanged between
26 the parties pursuant to settlement discussions, High 5 Games requests two weeks of additional
27 time, up to and including January 26, 2015, to file a responsive pleading in this matter.
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CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of January, 2015, a true and correct copy of the foregoing **DEFENDANT'S MOTION FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING TO COMPLAINT [SECOND REQUEST]** was served by electronically filing the foregoing with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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